

PUBLIC NOTICE: 2010-36

Date: August 27, 2010

**NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS AND
OPPORTUNITY TO COMMENT**

AGENCY: United States Environmental Protection Agency (EPA)
Region 2
290 Broadway
New York, NY 10007

ACTION: Notice of Proposed Administrative Penalty Assessments and Opportunity to
Comment

SUMMARY: EPA is providing notice of a proposed administrative penalty assessment for
alleged violations of the Clean Water Act (Act). EPA is also providing notice of opportunity to
comment on the proposed penalty assessment.

Under 33 U.S.C. §1319(g), EPA is authorized to issue Orders assessing civil penalties for various
violations of the Act. EPA may issue such Orders after the commencement of a Class I or Class
II penalty proceeding. EPA provides Public Notice of the proposed assessment pursuant to 33
U.S.C. §1319(g)(4)(A).

Administrative civil penalty proceedings are conducted under EPA's "Consolidated Rules of
Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or
Corrective Action Orders and the Revocation Termination or Suspension of Permits", 40 CFR
Part 22. The procedures through which the public may submit written comment on a proposed
administrative penalty action or participate in an administrative penalty proceeding, and the
procedures by which a Respondent may request a Hearing, are set forth in the Consolidated
Rules. The deadline for submitting public comment on this administrative civil penalty
proceeding is thirty (30) days after issuance of this Public Notice.

On August 25, 2010, EPA commenced the following administrative action for the assessment of
administrative civil penalties: In the matter of Hampton Ridge, LLC, 168 North Main Street ,
Manahawkin, PR 08050, Docket NO.CWA-02-2010-3317 with a proposed penalty of **\$9,000** for
failure to apply and obtain a NPDES General Permit for Storm Water Discharges from
Construction Activities at the Hampton Ridge at Barnegat site located on Gunning River Road
Barnegat, New Jersey 08005 as required by the storm water regulations.

FOR FURTHER INFORMATION: Persons wishing to receive a copy of EPA's Consolidated
Rules, review the Expedited Settlement Agreement or other documents filed in these proceedings,
comment upon the proposed assessments, or otherwise participate in any of the proceedings,
should contact [Katherine Mann, Physical Scientist at (212) 637-4226, EPA Region 2, 290
Broadway, 20th Floor, New York, New York 10007], and also send to Karen Maples, EPA
Region 2, 290 Broadway, 16th Floor, New York, NY 10007 on any written correspondence about
this matter. Unless otherwise noted, the administrative record for these proceedings is located in
the EPA Regional Office identified above, and the files will be open for public inspection during
normal business hours. All information submitted by the Respondent is available as part of the
administrative record, subject to provisions of law restricting public disclosure of confidential
information.

EPA has provided the Respondent with an Expedited Settlement Offer in an effort to promptly settle this matter. In order to provide opportunity for public comment, EPA will take no final action in this proceeding prior to thirty (30) days after issuance of this Notice.

Dated: August 27, 2010

**Dore Laposta, Director
Division of Enforcement and Compliance Assistance**